



1700 G Street NW, Washington, D.C. 20552

STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

June 27, 2024

Hon. Jennifer H. Rearden, United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *CFPB v. Credit Acceptance Corp.*, No. 1:23-cv-00038

Dear Judge Rearden:

Plaintiffs, the Consumer Financial Protection Bureau and the New York Attorney General's Office, write to respectfully request that the stay of this case be lifted.

The Court ordered on August 7, 2023 that this case be stayed pending the Supreme Court's ruling in *CFPB v. Community Financial Services Ass'n of Am., Ltd.*, No. 22-448. See ECF No. 64. The Supreme Court has now issued its decision in that case. See 2024 WL 2193873 (U.S. May 16, 2024) ("CFS4"). In CFS4, the Supreme Court upheld the validity of the Bureau's method of funding and rejected the challengers' arguments that the method of funding violates the Appropriations Clause. Accordingly, in light of the Supreme Court's decision and the terms of this Court's stay order, Plaintiffs respectfully submit that the basis for the stay of this case has now passed and the stay should be lifted.

With respect to Defendant's motion to dismiss, Defendant filed a letter withdrawing the portion of the motion that challenged the constitutionality of the CFPB's funding structure. See ECF No. 69. After consulting with Defendant's counsel, Defendant informed Plaintiffs that it has no objection to the Court considering the remaining portion of its motion to dismiss but

respectfully submits that other activity in the case is not appropriate during the pendency of the motion.

Sincerely,

/s/ Phillip Harris

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